



**MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Mammoth Lakes Suite Z, 437 Old Mammoth Rd, Suite Z, Mammoth Lakes, CA 93546

**Regular Meeting
June 19, 2018**

9:05 AM Meeting Called to Order by Chair Gardner.
Supervisors Present: Corless, Gardner, Peters, and Stump.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance led by Supervisor Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Katie Drake (ML resident):

- Spoke about the Zero Tolerance Immigration Policy and a request for the Board to write a letter.
- Supervisor Corless: Is going to ask that this Zero Tolerance Immigration Policy be addressed in a future meeting.

Gary Nelson:

- Mentioned that the Mono Lake Committee is giving free canoe tours on Mono Lake and encouraged the Supervisors to check it out.
- As part of his role on the Mono Basin Fire Safe Council he wanted to address the issue of reducing fuel buildups on public land and spoke about how the county roads could impact this. He's concerned about fire danger.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments
Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Leslie Chapman, CAO:

- CAO Chapman was absent for this meeting.

4. DEPARTMENT/COMMISSION REPORTS

Amanda Greenberg (Behavioral Health):

- Update on three housing components being worked on.
- Gave specifics on each.
- Supervisor Stump: complimented Behavior Health's role in this. Please keep board updated as projects move forward.
- Supervisor Peters: Walker small house project, awareness is there. There have been questions about operational side of this – might be a good idea to speak about this in the future.

Wendy Sugimura (CDD):

- Update on flurry of applications received relating to Cannabis and short-term rentals.

5. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

A. Board Minutes

Departments: Clerk of the Board

Approval of the minutes from the special Board meeting of May 21, 2018.

Action: Approve the minutes from the special Board meeting of May 21, 2018.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-119

B. Board Minutes

Approval of the minutes from the special Board meeting of May 22, 2018.

Action: Approve the minutes from the special Board meeting of May 22, 2018.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-120

C. Board Minutes

Approval of the minutes from the special Board meeting of May 23, 2018.

Action: Approve the minutes from the special Board meeting of May 23, 2018.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-121

D. Agreement and Third Amendment to the Sludge Disposal and Tipping Fee Agreement with Mammoth Community Water District

Departments: Public Works - Solid Waste

Two-Year Extension of Agreement with Mammoth Community Water District Regarding Sludge Disposal and Tipping Fees

Action: Execute third amendment to extend for two (2) years the agreement with Mammoth Community Water District regarding sludge disposal at the County's landfill facilities and tipping fees.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-122

E. Solid Waste Parcel Fee Program, FY18-19

Departments: Public Works - Solid Waste

Proposed resolution extending and re-establishing the Mono County Solid Waste Fee Program for fiscal year 2018-2019.

Action: Adopt proposed resolution R18-31, Extending and Re-Establishing the Mono County Solid Waste Fee Program for Fiscal Year 2018-2019.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

R18-31

F. Property Tax Software Maintenance Agreement and Web Services Addendum

Departments: Finance

2018-19 Proposed contract and addendum with Megabyte Systems, Inc. for software maintenance and web services.

Action: Approve proposed contract with Megabyte Systems, Inc. for software maintenance of the Megabyte System and approve proposed contract addendum with Megabyte Systems, Inc. for web services, both pertaining to the county property tax system.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-123

G. Second Amendment to the Transfer Station Operator Agreement

Departments: Public Works - Solid Waste

Two-Year Extension of Agreement with D & S Waste Removal, Inc. for Operation of Mono County Transfer Stations Facilities

Action: Authorize County Administrative Officer to execute second amendment to extend for two (2) years the agreement with D & S Waste Removal, Inc. for the operation and management of County transfer stations.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-124

H. Letter to BLM regarding Casa Diablo IV Geothermal Project

Departments: CAO

Proposed Board letter to BLM regarding the Casa Diablo IV Geothermal Project, specifically relating to concerns over the protection of the groundwater supply for the Town of Mammoth Lakes.

Action: Approve proposed letter regarding Casa Diablo IV Geothermal Project, and requesting the protection of Mammoth's groundwater supply.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-125

Irene (MCWD):

- Wanted to comment about the importance of making sure that the projects will not harm our environment.
- Asked board to come to Water District if anything needs further clarification.

I. Mono County Community Corrections Partnership Executive Committee Appointments

Departments: Probation

Resolution updating membership on the Mono County Community Corrections Partnership Executive Committee to recognize changes in the offices of presiding judge of the Mono County Superior Court and public defender.

Action: Adopt proposed resolution R18-32, Designating members of the Executive Committee of the Mono County Community Corrections Partnership and Superseding and Replacing R17-46.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

R18-32

J. Appointments to the Wheeler Crest Design Review Committee

Departments: CDD

Appointment of new or expired members to the Wheeler Crest Design Review Committee, which reviews architectural design of building permit applications in the Swall Meadows area.

Action: Appoint one new member, Ray Tompauskas, and reappoint three existing members, Mike Day, Tom Hopkins and Bill Goodman, to the Wheeler Crest Design Review Committee for terms expiring January 2020, as recommended by Supervisor Stump.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-126

K. Maternal Child and Adolescent Health (MCAH) Agreement Funding Application (AFA) #201826

Departments: Public Health

Maternal, Child, and Adolescent Health (MCAH) Agreement Funding Application (AFA) for fiscal year 2018-19.

Action: Approve the Maternal, Child, and Adolescent Health (MCAH) Agreement Funding Application (AFA) for fiscal year 2018-19. The AFA operates as a contract between the County and the California Department of Public Health (CDPH). Authorize the Chairperson to sign the MCAH AFA Agency Information Form to execute the contract on behalf of the County. Additionally, provide authorization for the Public Health Director to approve minor amendments and/or revisions that may occur during the contract period provided they are approved by County Counsel and do not materially affect the County's rights.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-127

L. Approve Road Closures for Mammoth Lakes Fourth of July Celebration

Departments: Public Works

Proposed resolution authorizing the temporary closure of county roads for the Town of Mammoth Lakes fireworks celebration.

Action: Approve resolution R18-33, Authorizing the temporary closure of county roads for the Town of Mammoth Lakes fireworks celebration. Provide direction to staff.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

R18-33

M. Second Amendment to Employment Agreement of Solid Waste Superintendent

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract amendment with Justin Nalder as Solid Waste Superintendent and prescribing the compensation, appointment and conditions of said employment.

Action: Announce Fiscal Impact. Approve Resolution #R18-34, Approving a contract amendment with Justin Nalder as Solid Waste Superintendent, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

R18-34

N. Letter to the California Department of Fish and Game Commission Regarding Sage Grouse Hunting Permits

Departments: County Counsel

Approval of Board of Supervisors' letter to the California Department of Fish and Game Commission regarding proposed changes in regulations governing the process by which hunting permits for sage grouse are drawn.

Action: Review and sign comment letter to the California Department of Fish and Game Commission (Commission) regarding proposed regulation change to include a preference point for drawing sage grouse hunting permits.

Peters moved; Corless seconded

Vote: 4 yes; 0 no

M18-128

6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. Governor's Proclamation of the General Election

Correspondence dated June 11, 2018 containing the Governor's Proclamation of the regularly scheduled Statewide General Election to be held on November 6, 2018.

B. Letters to City of Los Angeles regarding LADWP's Proposed Dewatering of Long and Little Round Valleys

Letters to Los Angeles Mayor Eric Garcetti from the California Audubon Society, Eastern Sierra Audubon, Sierra Club Range of Light Group, the California Natural Resources Agency, California Senator Tom Berryhill, California Assemblyman Frank Bigelow, and U.S. Congressman Paul Cook, expressing concerns regarding the Los Angeles Department of Water and Power's plan to export additional water from Mono County to Los Angeles through the dewatering of habitat and historic agricultural lands.

Supervisor Stump:

- Expressed thanks for everyone's concern.

7. REGULAR AGENDA - MORNING

A. Treasury Loan to Hilton Creek Community Service District

Departments: Finance

(Janet Dutcher) - This is a request from Hilton Creek Community Service District for a 5-year treasury loan in the amount of \$100,000. This loan partially funds infrastructure improvements. Terms include a 3.3% annual interest rate and a callable provision allowing Hilton Creek the option to repay the loan early.

Action: Approve and authorize the Finance Director to sign a Treasury Loan Agreement in the amount of \$100,000 to Hilton Creek Community Services District.

Stump moved; Corless seconded

Vote: 4 yes; 0 no

M18-129

Janet Dutcher, Finance Director:

- Pursuing a treasury loan from Hilton Creek. Explained details of loan.
- Two actions: one to improve investment and to also authorize Janet Dutcher to sign.

Supervisor Stump:

- He attended the last meeting of this district and explained the delay in this item going before board.

B. Tax Appeal Impound Fund

Departments: Finance

(Janet Dutcher) - Authorize impounding of \$1,050,626 associated with pending property tax appeals.

Action: Approve and authorize the Finance Director to impound \$1,050,626 of redeemed taxes to offset anticipated tax appeal results covering tax years 2010 - 2017.

Stump moved; Peters seconded

Vote: 4 yes; 0 no

M18-130

Janet Dutcher, Finance Director:

- Moving money into impound account.
- Gave summary of item.
- By moving this amount, it raises the balance considerably.
- County Finance is mandated by State to be property tax collectors; explained process and how taxes that are collected get apportioned.
- Recently received stipulations from clerk to refund approximately \$500,000 on various appeals. Came out of impound account.

Supervisor Stump:

- Some districts didn't understand they were part of pool; asked for further clarification.

Supervisor Gardner:

- Important to know that the special districts and school districts are part of this apportionment. Property taxes don't just go the County or the Town.

Supervisor Peters:

- Asked for additional information about where amounts are refunded from.

C. Housing Needs Assessment Review and Community Feedback on Housing Toolbox

Departments: Community Development

(Bentley Regehr) - Presentation by Bentley Regehr regarding review of the Housing Needs Assessment and community feedback on the Housing Toolbox.

Action: None.

Wendy Sugimura:

- Introduced item.
- Explained that there are a number of items on today regarding housing; thought it was a good idea to go over the Housing Needs Assessment again.
- Needs Assessment is posted online.

Housing Toolbox Power Point:

- Incentivize Creation of ADUs.
- Actively Engage Employers.
- Incentivize Conversion from Short-to-Long Term Rentals.
- Develop New Housing Opportunities by Acquiring Land and Improving Infrastructure.

- Support Dedicated Funding Source Through a Tax Increase.
- Funds to Assist Homeowners with Needed Rehabilitation.
- Explore rental Rehabilitation Programs.
- Support Deed-Restriction of Homes for Sale.
- Update Housing Mitigation Ordinance (HMO).
- Other comments?
- Next steps.

Bentley Regehr:

- Has spent a lot of time looking at the Housing Needs Assessment.
- Occupancy rates – down to 35%.

Supervisor Corless:

- There is a lot of information in the Housing Needs Assessment that can be reviewed.
- All efforts need to add up to whatever the goal is.
- Terminology needs to be clarified.
- How do we removed barriers and incentivize?
- Asked if Planning Commission could/should be involved in a workshop.

Supervisor Stump:

- Asked additional questions regarding creation of ADU's.
- Concurs with comments about consensus; difficult with such diverse county.

Supervisor Gardner:

- Some good points have been made; perhaps a workshop would be beneficial.
- Board consensus to schedule a workshop.

Supervisor Peters:

- Agrees we have to come to a consensus.
- Incentivizing/removing barriers are critical points.

Break: 10:45 a.m.

Reconvene: 11:07 a.m.

D. Housing Mitigation Ordinance Update

Departments: Community Development

(Megan Mahaffey, Ashleigh Kanat) - Economic & Planning Systems (EPS) will present the fee analysis conducted to date in preparation for amendments to the Housing Mitigation Ordinance. Following the presentation, staff will seek Board feedback and recommendations on a fee schedule for residential and non-residential development as well as inclusionary zoning requirements.

Action: None.

Megan Mahaffey:

- Introduced item; reminded Board of the goals for this item.
- Introduced Ashleigh Kanat, consultant.
- Town will be doing an Inclusionary element to their HMO.

Ashleigh Kanat, Consultant (via remote location):

Power Point (Affordable Housing Fees Study) –

- Presentation Overview.
- Introduction/Background
- Inclusionary Housing Philosophy
- EPS Scope of Services
- Approach to Housing Fee Studies
- County's Current Housing Requirements
- Financing Gap to Build Affordable Housing
- In-Lieu Fee Calculation for Rental Housing

- Residential Nexus Methodology
- Home Price and Required Income Assumptions
- Maximum Fee Levels by Homebuyer Category
- Rent and Required Income Assumptions
- Maximum Fee Levels by Renter Category
- Commercial Linkage Methodology
- Commercial Linkage – Maximum Fee Levels
- Fee Comparisons
- Feasibility Analysis
- Cost Incidence of a Fee
- Feasibility Test Findings
- EPS Recommendations
- Questions?

General discussion/questions by board members.

Supervisor Corless:

- Need to ask developers to make sure Mono County is on right track; need to be consistent with what Town is doing.

Supervisor Stump:

- He's not comfortable going to his citizens with the fee.

Supervisor Peters:

- Need to paint a picture to counties that have had success and tie in what median income those counties had.

Supervisor Gardner:

- There are a lot of variables.

Wendy Sugimura:

- Although complicated item; we can communicate clearly through general messaging about why Housing Mitigation Ordinance exists in the first place and also about how policy is set.
- Provided some concluding explanations, comments.
- Current HMO Suspension expires in August; this is what is driving this discussion.

E. Quarterly Update on the Mono County Revolving Loan Program - Housing

Departments: Finance

(Janet Dutcher, Jennifer Halferty) - Mammoth Lakes Housing utilized the Mono County Revolving Loan Fund to purchase property on March 1, 2018 at 550 Mono Street, #C101 for selling at below market rate as a deed restricted unit.

Action: None.

Janet Dutcher, Finance Director:

- Introduced item; walked through some of the financials.
- We'd need extra funding to do two loans.

Patricia Robertson (Mammoth Housing):

- Gave details about the revolving loan fund including what it's used for, why it's used.
- Last loan was to purchase a one-bedroom unit at Meridian Court.
- Loan is repaid, and this program has been successful.

Supervisor Gardner:

- Could we do more work, etc. if there were more funds available?

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

9. CLOSED SESSION

*Break: 12:32 p.m.
Reconvene: 1:15 p.m.*

There was nothing to report out of closed session.

A. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Michael Hallum v. County of Mono et al. (Mono Superior Court Case Number CV170086).

B. Closed Session - Exposure to Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

C. Closed Session - Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 12:30 P.M.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. REGULAR AGENDA - AFTERNOON

A. Retiree Health Savings Program for Deputy Sheriffs' Association

Departments: Human Resources

(Dave Butters) - Proposed resolution to enter agreement with ICMA Vantage Care for administration of Retiree Medical Savings Program for the Deputy Sheriffs' Association.

Action: Approve Resolution R18-35, To Adopt ICMA Retirement Corporation's Vantagecare Retirement Health Savings Program.

Corless moved; Peters seconded

Vote: 4 yes; 0 no

R18-35

Dave Butters:

- Explained item and requested Board action.

12. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Supervisor Corless:

- Mammoth Creek Park – Inclusive Playground Build. Volunteers have been very effective, and the town is ahead of schedule, encourage everyone to go see this project.
- 6/14: DWP Meeting—supporting efforts to prevent the dewater
- 6/15: Eastern Sierra Council of Governments—report from Chair Gardner
- Request to agendize a support letter for amended version of AB 924, legislation related to Indian tribes engaging in commercial cannabis activity in California.
- Request for letter to Rep. Cook regarding immigration policy implementation of separating families, expressing our opposition to this practice and requesting his support of legislation to end this practice. The request is supported by language in our legislative platform, opposing any immigration reform that separates families.

Supervisor Gardner:

- On June 13, attended the June Lake Public Utility District meeting. The PUD has two vacancies and had five persons apply for the positions. The PUD is also in the process of pursuing a rate increase.
- That same evening, also attended the Mono Basin RPAC meeting. There were several items discussed, including the Lee Vining Rt. 395 Rehab. Project, banning short term rentals in Mono City, and the Mono Basin Fire Safe Council.
- On Thursday June 14, attended another meeting on the joint County/ TOML recreation position; close to announcing the position and beginning the recruitment process.
- On Friday June 15, attended the Eastern Sierra Council of Governments meeting. Discussed forming a Joint Powers Authority to facilitate action on selected issues important to the region and agreed to make a presentation about this concept to each of our respective governing bodies to gauge interest and support. Also received updates on the Mammoth/Bishop airport/airline service discussions.
- On Friday attended an ESTA meeting. Approved the budget for 2018-2019 and agreed to continue our search for an Executive Director.

Supervisor Peters:

- 12th BP RPAC.
- 12th BP Chamber.
- 14th Meeting in Mel Levine Chairman of the Board Dept. of Water and Power Commission, Richard Harasick Director of Operations DWP. Representatives from the Mayor Garcetti's office and the City Attorney's Office, Stacey and Stacy, Cassie Gilson.
- 18th Meeting in Mammoth with Ranchers and Agencies BLM CDFW.
- Upcoming: 25th INYO/DWP Standing Committee Los Angeles , CSAC 6/27-28, CSAC Resiliency Advisory Board.

Supervisor Stump:

- Crowley Skate Park did open last Tuesday afternoon. Appears to be well used. It will close for about four days in July for paving.
- 6-13 : Attended the Fire Chiefs Association meeting. Talked about the new County Budget process. The Association wants to put on a presentation to our Board about services provided. The CAO and the Chair are aware and will be enabling that to occur. Since I have included Supervisor Gardner on emails relating to this if Supervisors Peters and Corless have questions please direct them to the CAO or one of the Fire Chiefs.
- 6-14 : Met with Benton residents. Topics ranged from EMS Services to Ag Commissioner Funding to support pepper-weed treatment. Unfortunately, the weed is making a comeback. The Ag Commissioner's office does not currently have the funding to restart the control program.

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- 6-15 : Had a telephone conversation with Kathy Peterson about the Senior Service program providing one day a week activities in the Tri Valley. May not come together until September. Also discussed the Senior outreach in Mammoth as well as the two openings on the ESAAA Advisory Board. There is an individual from Antelope Valley who is interested and would be my first choice to appoint. It would be nice if someone from South County would also consider serving. The next ESAAA meeting is Wednesday.

ADJOURNED at 1:29 p.m.

ATTEST

BOB GARDNER
CHAIR OF THE BOARD

SHANNON KENDALL
CLERK - RECORDER